

RECEIVED
CENTRAL FAX CENTER

AUG 30 2007

Fax

Commissioner for Patents

To:	Jill L. Woodburn	
Fax:	571-273-8300	Pages: 4
Phone:	Date: August 30, 2007	
Rc:	10/581,409	CC:

Applicants: Pachl et al.
Application: 10/581,409
Filed: June 1, 2006
371(c): Sept. 20, 2006
Ref. No.: 22344 US

Attachments:

Transmittal Form (1pp)
Request For Correction To The Published Patent Application Under 37 C.F.R. 1.221(b) (1pp)
Copy of page 4 of US 2007/0110613 (1pp)
Fax Transmittal Sheet (1pp)

The information contained in this facsimile message is **privileged** and **confidential**. This information is intended only for the use of the individual or entity named. If the reader of this message is not the intended recipient, you are hereby notified that the dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone 219-764-4005 and return the original message to us at 128 Shore Dr. Ogden Dunes, IN 46368 USA via the Postal Service. Thank you.

AUG 30 2007

PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

(To be used for all correspondence after initial filing)

Total Number of Pages in This Submission 4

Application Number	10/581,409
Filing Date	September 20, 2006
First Named Inventor	Pachi et al.
Art Unit	1743
Examiner Name	
Attorney Docket Number	22344 US

ENCLOSURES (Check all that apply)

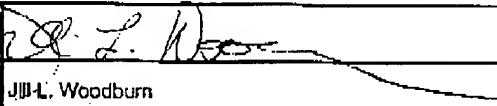
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Request For Correction To The Published Patent Application Under 37 C.F.R. 1.221(b)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Fax Transmittal
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	The Law Office of Jill L. Woodburn, LLC		
Signature			
Printed name	Jill L. Woodburn		
Date	August 30, 2007	Reg. No.	39,874

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Jill L. Woodburn	Date	39,874

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

AUG 30 2007

Docket No. 22344 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Pachl et al.

Patent Application No.: 10/581,409 Group No.: 1743

Filed: June 1, 2006 Examiner: Unknown

For: Coated Test Elements

REQUEST FOR CORRECTION TO THE PUBLISHED PATENT APPLICATION UNDER
37 C.F.R. 1.221.(b)Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is respectfully requested that a Correction to the published patent application be issued for the above-identified application. In particular, a major typographical mistake in the patent application is present. This mistake is highlighted below, as is its corresponding correction.

Incorrect Claim 7: Test element according to **one of claims 1 to 6**, characterized in that the hydrophobic structured surface has a contact angle with aqueous systems of $> 120^\circ$.

Correct Claim 7: Test element according to **claim 1** the hydrophobic structured surface has a contact angle with aqueous systems of $\geq 120^\circ$.

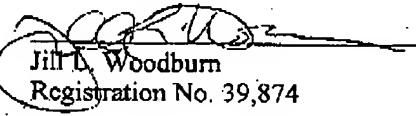
This error was incurred through the fault of the Patent and Trademark Office and is clearly disclosed by the records of the Office. The correction is not due to any error by applicant and no fee is due.

Respectfully submitted,

The Law Office of Jill L. Woodburn, L.L.C.

August 30, 2007

Date

Ogden Dunes, IN
ph: 219-764-4005
fax: 219-764-4070
Jill L. Woodburn

Registration No. 39,874

US 2007/0110613 A1

May 17, 2007

4

a channel or gap for transporting liquid from the application zone to the detection zone,

characterized in that

the test element has a hydrophobic structured surface at least in an area around the application zone.

2. Test element according to claim 1,

characterized in that

the channel or gap has an opening in the area of the application zone and the surface of the test element has hydrophobic structuring at least around the channel opening.

3. Test element according to claim 1 or 2,

characterized in that

the channel or gap is a capillary channel or capillary gap.

4. Test element according to one of the claims 1 to 3,

characterized in that

the interior of the channel or gap has at least partially a hydrophilic surface.

5. Test element according to one of the claims 1 to 4,

characterized in that

the average distance between elevations on the hydrophobic structured surface is in the range of 50 μ m to 200 μ m and the average height of the elevations is in the range of 50 nm to 100 μ m.

6. Test element according to one of the claims 1 to 5,

characterized in that

the hydrophobic surface has a surface energy of \leq 20 mN/m.

7. Test element according to one of the claims 1 to 6,

characterized in that

the hydrophobic surface has a contact angle with aqueous systems of $>120^\circ$.

8. Test element according to one of the claims 1 to 7,

characterized in that

the hydrophobic surface can be obtained by spraying a suspension of hydrophobic nanoparticles.

9. Test element according to one of the claims 1 to 8,

characterized in that

the hydrophobic surface is immobilized on the test element.

10. Test element according to claim 9,

characterized in that

the hydrophobic surface can be obtained by applying a hardenable substance to the areas of the test element to be coated, applying hydrophobic, hydrophobized or

hydrophobizable particles to the coated areas and immobilizing the particles by hardening.

11. Test element according to one of the claims 1 to 10,

characterized in that

it is designed to be held within a magazine.

12. Test element according to claim 11,

characterized in that

the magazine is designed to hold both used and unused test elements.

13. Test element according to claim 11 or 12,

characterized in that

the magazine is located within a measuring device.

14. Test element according to claim 13,

characterized in that

the measuring device is an optical or electronic measuring device.

15. Test element according to one of the claims 1 to 14 for determining glucose in blood.

16. Magazine for holding test elements for determining an analyte in a liquid comprising at least one test element according to one of the claims 1 to 15.

17. Magazine according to claim 16,

characterized in that

it is designed to hold both used and unused test elements.

18. Measuring device for determining an analyte in a liquid,

characterized in that

it contains at least one test element according to one of the claims 1 to 15.

19. Measuring device according to claim 18,

characterized in that

it contains at least one magazine for holding one or more test elements.

20. Measuring device according to claim 19,

characterized in that

the magazine is designed to hold both used and unused test elements.

21. Method for the determination of an analyte in a liquid comprising

applying a sample liquid to a test element according to one of the claims 1 to 15 and

qualitatively or/and quantitatively determining the analyte present in the sample liquid.

* * * * *